

AGENDA
BOROUGH OF WESTWOOD
SINE DIE MEETING OF THE MAYOR & COUNCIL
JANUARY 6th, 2009
WESTWOOD COMMUNITY CENTER
55 Jefferson Avenue
6:30 PM

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 6:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement as follows: "This meeting which conforms to the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

2. Roll Call:

Mayor Birkner - present
Councilmember Grefrath - present
Councilmember Miller - present
Councilmember Phayre - present
Councilmember Quinn - present
Councilmember Sciara - absent
Council President Waneck - present
Borough Administrator Hoffmann - present
Borough Attorney Huntington - present
Borough Clerk Hughes - present

Committee Assignments:

Finance, Administration & Capital Projects
Police & OEM
Fire & Ambulance
Health & Recreation
Public Properties
Land Use

3. Executive Closed Session:

RESOLVED THAT the Mayor and Council of the Borough of Westwood shall convene in Executive Closed Session to discuss the following matters:

Personnel Matters
Pending/Potential Litigation
Attorney's Report

Said discussions are deemed legally confidential pursuant to NJSA 10:4-12(b)

(7) Litigation or contract negotiation, attorney/client
(8) Employment matters

The Clerk is directed to keep separate minutes of the meeting which shall be made public once that matter has been resolved.

Motion to enter Closed Session with the intention to reconvene in Open Session: Council President Waneck Second: Councilmember Quinn

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes
Councilmember Phayre - Yes
Councilmember Quinn - Yes
Councilmember Sciara - Absent
Council President Waneck - Yes

The time was 6:31 pm.

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Grefrath

Second: Council President Waneck

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 6:50 pm.

5. Roll Call II:

Mayor Birkner - present

Councilmember Grefrath - present

Councilmember Miller - present

Councilmember Phayre - present

Councilmember Quinn - present

Councilmember Sciara - absent

Council President Waneck - present

Borough Administrator Hoffmann - present

Borough Attorney Huntington - present

Borough Engineer Boswell - present

Borough Clerk Hughes - present

6. Flag Salute:

A motion was made by Councilmember Grefrath to waive the flag salute at this time. Second: Council President Waneck Voice Vote: A voice vote was taken with all present voting in the affirmative. The flag salute will be made during the Reorganization meeting.

7. Approval of Minutes: December 9, 16

Councilmember Grefrath presented the minutes of the December 9, 2008 Mayor and Council meeting for consideration.

Motion to adopt the minutes of 12/9/08: Councilmember Grefrath

Second: Councilmember Quinn

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara – Absent

Council President Waneck - Yes

Councilmember Grefrath presented the minutes of the December 16, 2008 Mayor and Council meeting for consideration.

Motion to adopt the minutes of 12/16/08: Councilmember Grefrath

Second: Council President Waneck

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara – Absent
Council President Waneck - Yes

8. Reports of Committees and Officials:

A) Mayor's Report:

Mayor Birkner said it had been a rewarding experience serving as Mayor this past year. He thanked everyone for making it so.

B) Engineer's Report:

1) DEP Projects

As part of the stimulus package, the DEP is calling for municipal projects. Dr. Boswell suggested the Borough submit the Pascack Brook sewer repair and replacement of the Musquapsink sewer at the Mathis property.

2) Emerson Road Pump Station

Dr. Boswell reported that the submersible pump is being installed this week at the Emerson Road Pump Station site. He is suggesting a change to the technology, which he will summarize in a letter to Mr. Huntington. Mr. Huntington said changing the transducer switch might be enough of a change to complicate the relationship with the abutting property owner. He will investigate.

3) Pascack Brook Stream Cleaning

Boswell Engineering has met with the Mosquito Control Division regarding the desilting and desnagging of the Pascack Brook. Dr. Boswell needs to know who will be carting the material away, and where it will be taken.

C) Council Liaison/Committee Report:

No reports

D) Attorney's Report:

No report

E) Administrator's Report:

No report

9. Agenda/Public Forum:

Motion to open the Agenda/Public Forum: Councilmember Grefrath

Second: Councilmember Phayre

Voice Vote: A voice vote was taken with all present voting in the affirmative.

No members of the public wished to be heard.

Motion to Close the Agenda/Public Forum: Councilmember Grefrath

Second: Councilmember Phayre

Voice Vote: A voice vote was taken with all present voting in the affirmative.

10. Presentation of Bills, Financial Reports and Resolutions:

The following Resolutions were enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions were considered separately.

Mayor Birkner asked if any Councilmember had any questions on the resolutions.

Mr. Huntington noted for the record that Resolution #08-399, A Resolution Effectuating Settlement Of Tax Payment, and Resolution #08-400, A Resolution Correcting Assessment, were being added to the agenda. Also added was Resolution #08-401, Authorizing Payment To Malcolm Pirnie Inc.

It was requested that the resolution pertaining to the Chapter 125 plan be considered separately.

Resolutions:

Resolution #08- 392: Bill List & Statement of Cash

Resolution #08- 393: Budget Transfers 2008

Resolution #08- 394: Cancellation of Overpayments

Resolution #08- 395: Cancellation of Tax Balances Due

Resolution #08- 396: Police Department Personnel Matter

**Resolution #08- 397: Resolution Rejecting All Bids for Carpeting for the
Westwood Free Public Library**

Resolution #08-398: Raffle License #369 – Zion Lutheran Church & School

Resolution #08-399: Resolution Effectuating Settlement Of Tax Payment

Resolution #08-400: Resolution Correcting Assessment

Resolution #08-401: Authorizing Payment To Malcolm Pirnie Inc.

Motion to adopt resolutions #08-392 through #08-398: Councilmember Grefrath

Second: Council President Waneck

Roll Call: Councilmember Grefrath - Aye

Councilmember Miller - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Absent

Council President Waneck - Yes

Resolution #08- : A Resolution Adopting A Policy For Eligible Municipal Employees to Voluntarily Waive The Medical And Prescription Coverages Provided Through The Employee Health Benefits Program

Councilmember Phayre noted he had spoken to Mr. Hoffmann about his concerns with this resolution. He asked if the amount would be reviewed annually. Mr. Huntington said it would. Councilmember Miller said he is philosophically opposed to providing an option that could bring risk to employees' health. He requested written legal advice on the matter. There was discussion about the cost savings to the Borough. Councilmember Miller voiced concern about an employee opting out and developing a catastrophic illness. Mr. Hoffmann said the employee must prove they have insurance coverage prior to opting out. Mayor Birkner and Councilmember Phayre requested copies of the information given to the employees on the plan. Mr. Huntington said he is adverse to having the Council act with misgivings. The resolution was held for further discussion.

11. Adjournment:

Motion to adjourn: Councilmember Grefrath

Second: Council President Waneck

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:12 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk
Robert S. Hoffmann, Borough Administrator